

PROB 12C
(7/93)

Report Date: January 18, 2013

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 18 2013

SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Benjamin Grote

Case Number: 2:08CR06057-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge

Date of Original Sentence: 1/4/2010

Original Offense: Possession of a Firearm Not Registered to a Person in the National Firearms
Registration and Transfer Record, 26 U.S.C. § 5841, 5861(d), and 5871Original Sentence: Prison - 13 Months; Type of Supervision: Supervised Release
TSR - 36 Months

Asst. U.S. Attorney: To Be Assigned Date Supervision Commenced: 9/16/2011

Defense Attorney: To Be Assigned Date Supervision Expires: 9/15/2014

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On September 25, 2012, Benjamin Davis Grote was arrested and charged with Driving Under the Influence of Alcohol/Drugs, Benton County District Court, docket number J00832957. Mr. Grote's next court date is March 7, 2013.

On December 24, 2012, Benjamin Davis Grote was arrested and charged with Driving Under the Influence of Alcohol/Drugs, Driving with a Suspended License, and Resisting Arrest, Walla Walla District Court, docket number C0005802 and C0005803. Mr. Grotes's next Court date is January 28, 2013.

- 2 **Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Benjamin Davis Grote failed to report for urine drug testing on December 13, 2012.

Prob12C

Re: Grote, Benjamin

January 18, 2013

Page 2

3

Special Condition # 17: You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: On December 27, 2012, Benjamin Davis Grote provided a urine sample which tested positive for the use of alcohol.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/18/2013

s/Curtis G. Hare

Curtis G. Hare
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer

1/18/13
Date